101-8

Private Law 101-8
101st Congress

An Act

Oct. 22, 1990
[S. 2680]

To provide for the conveyance of lands to certain individuals in Stone County, Arkansas.

Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) certain landowners in Stone County, Arkansas, who own property adjacent to the Ozark National Forest have been adversely affected by certain erroneous surveys;

(2) these landowners have occupied or improved their property in good faith and in reliance on erroneous surveys of their properties that they believed were accurate; and

(3) the 1975 Bureau of Land Management dependent resurvey of the Ozark National Forest correctly established accurate boundaries between such forest and private lands.

(b) PURPOSE.—It is the purpose of this Act to authorize and direct the Secretary of Agriculture to convey, without consideration, certain lands in Stone County, Arkansas, to persons claiming to have been deprived of title to such lands.

SEC. 2. DEFINITIONS.

For the purposes of this Act the term—

(a) "affected lands" means those Federal lands located in the Ozark National Forest in Stone County, Arkansas, in sections 1, 2, 3, 9, 10, 11, and 12, township 15 north, range 12 west, Fifth Principal Meridian, as described by the dependent resurvey by the Bureau of Land Management conducted in 1975, and subsequent Forest Service land line location surveys, including all adjacent parcels where the property line as identified by the 1975 BLM dependent resurvey and National Forest boundary lines before such dependent resurvey are not coincident;

(b) "claimant" means an owner of real property in Stone County, Arkansas, located adjacent to the Ozark National Forest lands described in subsection (a), who claims to have been deprived by the United States of title to property as a result of previous erroneous surveys; and

(c) "Secretary" means the Secretary of Agriculture.

SEC. 3. CONVEYANCE OF LANDS.

Notwithstanding any other provision of law, the Secretary is authorized and directed to convey, without consideration, all right, title, and interest of the United States in and to affected lands as described in section 2(a), to any claimant or claimants, upon proper application from such claimant or claimants, as provided in section 4.

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SEC. 4. TERMS AND CONDITIONS OF CONVEYANCE.

(a) NOTIFICATION.—Not later than two years after the date of enactment of this Act, claimants shall notify the Secretary, through the Forest Supervisor of the Ozark National Forest, in writing of their claim to affected lands. Such claim shall be accompanied by—

(1) a description of the affected lands claimed;

(2) information relating to the claim of ownership of such lands; and

(3) such other information as the Secretary may require.

(b) ISSUANCE OF DEED.—(1) Upon a determination by the Secretary that issuance of a deed for affected lands is consistent with the purpose and requirements of this Act, the Secretary shall issue a quitclaim deed to such claimant for the parcel to be conveyed.

(2) Prior to the issuance of any such deed as provided in paragraph (1), the Secretary shall ensure that—

(A) the parcel or parcels to be conveyed have been surveyed in accordance with the Memorandum of Understanding between the Forest Service and the Bureau of Land Management, dated November 11, 1989; and

(B) all new property lines established by such surveys have been monumented and marked.

(3) The Federal Government shall be responsible for all surveys and property line markings necessary to implement this subsection.

(c) NOTIFICATION TO BLM.—The Secretary shall submit to the Secretary of the Interior an authenticated copy of each deed issued pursuant to this Act no later than thirty days after the date such deed is issued.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved October 22, 1990.